

231774

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. AB-167 (Sub-No. 1191-X)

**CONSOLIDATED RAIL CORPORATION
-ABANDONMENT EXEMPTION-
IN PHILADELPHIA, PA**

**ENTERED
Office of Proceedings**

JAN 30 2012

**Part of
Public Record**

STB Docket No. AB-55 (Sub-No. 710-X)

**CSX TRANSPORTATION, INC.
-DISCONTINUANCE OF SERVICE EXEMPTION-
IN PHILADELPHIA, PA**

STB Docket No. AB-290 (Sub-No. 552-X)

**NORFOLK SOUTHERN RAILWAY COMPANY
-DISCONTINUANCE OF SERVICE EXEMPTION-
IN PHILADELPHIA, PA**

Filed for

ERIC S. STROHMEYER (Individually)

- AND -

CNJ RAIL CORPORATION

REQUEST TO TOLL THE TIME PERIOD

FOR FILING AN

OFFER OF FINANCIAL ASSISTANCE

1. Now comes your petitioners, Mr. Eric S. Strohmeyer, a citizen of the State of New Jersey, whose address is 81 Century Lane, Watchung, NJ 07069 and CNJ Rail Corporation, a New Jersey corporation, whose mailing address is 191 North Avenue, Suite 238, Dunellen, NJ 08812, requesting the Surface Transportation Board (Board) toll the 10 day period for filing an Offer of Financial Assistance, in the above captioned proceeding. Petitioners, in support of their request, state:

2. On January 5th, 2012, Consolidated Rail Corporation filed an Verified Notice of Exemption to abandon a portion of a line of railroad known as the Berks Street Industrial Track, in the City of Philadelphia, PA. The line is the subject of the above captioned proceeding.

3. On January 25th, 2012, the Board published the Verified Notice of Exemption in the Federal Register. (See *Federal Register* FR-4915-01-P, January 25th, 2012)

4. On January 30th, 2012, pursuant to 49 CFR 1152.27 (A), your petitioners jointly filed a Notice of Intent to File an Offer of Financial Assistance with the Board and concurrently served our notice upon Conrail pursuant to the requirements laid out in the Notice of Exemption.

5. Your petitioners, having not yet received the requested information from Conrail as required by 49 CFR 1152.27 (A), herein request, pursuant to 49 CFR 1152.27 (C), (1), that the Board toll the 10-Day time period for filing an Offer of Financial Assistance until such time as Conrail provides the requested information and certifies to the Board it has done so.

6. Your petitioners also request any additional relief that the Board may deem just, and necessary, to carry out the requested relief.

On behalf of myself (individually) and
On behalf of CNJ Rail Corporation

Respectfully Submitted,

Eric S. Strohmeyer /s/

Eric S. Strohmeyer
Vice President, COO

Dated: January 30th, 2012

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of January, 2012, a copy of the foregoing Request to Toll the Time Period for Filing an Offer of Financial Assistance, was served by first class mail, postage prepaid, upon:

Mr. Benjamin C. Dunlap, Jr. Esq.,

Nauman, Smith, Shissler & Hall, LLP,
200 North Third Street,
18th Floor, Harrisburg, PA 17101
(717) 236 - 3010, Ext. 21

Counsel for Consolidated Rail Corporation, et. al.

Mr. John K. Enright, Esq.,
Associate General Counsel,
Consolidated Rail Corporation,
1717 Arch Street, 32nd Floor,
Philadelphia. PA 19103.

Respectfully Submitted

Eric S. Strohmeier /s/

Eric S. Strohmeier
Vice President, COO
CNJ Rail Corporation